

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

La'Shaun Clark

Write the full name of each plaintiff.

20 CV 251
(Include case number if one has been assigned)

-against-

New York City Housing Authority ,

New York Insulation & Environmental Services,

JLC Environmental Consultants, Inc.,

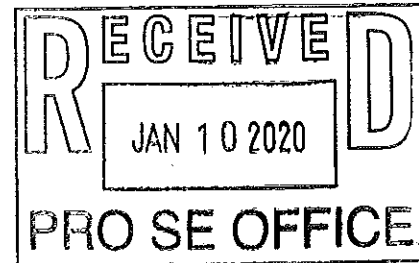
Rockmills Steel Products Corp.

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

COMPLAINT

Do you want a jury trial?

☒ Yes ☐ No



NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☐ Federal Question

☒ Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, La'Shaun Clark, is a citizen of the State of
(Plaintiff's name)

Georgia
(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or
subject of the foreign state of _____

If the defendant is a corporation: ^{2. New York Insulation + Environmental Services}
^{3. JLC Environmental Consultants, Inc.}
^{4. Rockmill's Steel Products Corp.}

The defendant^{1. New York City Housing Authority}, _____, is incorporated under the laws of
the State of New York

and has its principal place of business in the State of New York

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____.

If more than one defendant is named in the complaint, attach additional pages providing
information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional
pages if needed.

La'Shaun	S	Clark
First Name	Middle Initial	Last Name
6313 E. Shore Circle		
Street Address		
Douglasville	Georgia	30135
County, City	State	Zip Code
678-654-9565	Zavion00@msn.com	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

First Name	Last Name	
New York City Housing Authority (Law Dept. General counsel)		
Current Job Title (or other identifying information)		
250 Broadway 9th. Floor		
Current Work Address (or other address where defendant may be served)		
New York	New York	10007
County, City	State	Zip Code

Defendant 2:

First Name	Last Name	
New York Insulation & Environmental Services, Inc.		
Current Job Title (or other identifying information)		
Asbestos abatement / 31-19 30th. Avenue		
Current Work Address (or other address where defendant may be served)		
Astoria	New York	11102
County, City	State	Zip Code

Defendant 3:

First Name	Last Name	
JLC Environmental Consultants, Inc. / Air Abatement company		
Current Job Title (or other identifying information)		
243 W. 30th. Street Suite 701		
Current Work Address (or other address where defendant may be served)		
New York	New York	10001
County, City	State	Zip Code

Defendant 4:

First Name	Last Name	
Rockmills Steel Products Corp.		
Current Job Title (or other identifying information)		
Rockmills Boiler 59-12 54th. Street		
Current Work Address (or other address where defendant may be served)		
Maspeth	New York	11378
County, City	State	Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: NYCHA / 1100 Teller Avenue Apt. # 1H Bronx, N.Y. 10456

Date(s) of occurrence: 2/9/04, 2/10/04, 2/11/04 (contractors notified 1/22/04)

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

NYCHA harmed me when I lived at 1100 Teller Avenue apt. # 1H Bronx New York 10456. I lived there from 2004 to 2012. NYCHA never told me that chrysotile asbestos was found in the the floor tile and was allegedly abated in the apartment I lived in. I have recently received asbestos documentation from My former lawyer for a mold case for my two sons that was in my case file showing that 3.7% chrysotile asbestos was in the floor tile and 2.0% in the mastic. I was diagnosed with COPD on 7/10/19 as a non smoker/ never smoker, Asbestosis pleural parenchymal lung scarring on 7/18/19 and Gerd.

New York Insulation & Environmental services allegedly abated the floor tile on 2/9/04 they harmed me as the floor tiles became friable in March of 2009. If Abatement was done the floor tiles should have never been broken and crumbling into pieces only 5 years later. JLC-Environmental Consultants Inc. is responsible as well because they never abated the Air. Rockmills Steel Products Corp are responsible as well for my asbestos exposure as I lived directly above the boiler room and the boiler that was installed in the building was manufactured by Rockmills Boilers which contained asbestos materials. Often Housing maintenance workers would be working on the boiler and dust and debris would come through the radiator heater in my bedroom. I directly inhaled dust particles through the piping in the apartment that caused me irreversible lung disease, Scarring of my lungs and gastro esophageal reflux disease. I am on a supplemental oxygen breathing machine, nebulizer, bronchodilators & reflux medicine. NYCHA should have warned me about the asbestos that was found in the floor tile before I moved in May of 2004. Nowhere on my lease signed by me on May 12, 2004-- warned me of the potential health hazard of asbestos.

ON 2/18/11 Bathroom Wall Was demolished and No Asbestos Bulk Sampling Was Conducted and tested as required by NYS Asbestos Law. I was present during demolition. I have NYCHA work order documents that prove my claim of demolition done for Dry wall removal and repair.

I took NYCHA to Housing court on 1/14/11 for repairs and one of the repairs listed was broken living room floor tiles. At that time they still never told me that asbestos was found in the floor tile and that it was allegedly abated. NYCHA never fixed the broken floor tiles and when they became friable in March of 2009 my two sons and me were breathing in friable asbestos for 3 years straight. I have pictures dated March 16, 2009 showing the broken floor tiles. 15 years later I now suffer from COPD, parenchymal lung scarring and Gerd. There is no cure for these diseases and my two sons also have future risks of developing asbestos related diseases as asbestos diseases are latent. I could potentially develop even more malignant diseases such as lung cancer & mesothelioma. I constantly spit thick bubbly sputum, have chest pain and chronic cough with Asthenia. My health was severely compromised by all defendants as if defendants had exercised proper due diligence of health and safety I would not have irreversible diseases. Alpha 1 testing done by my Pulmonologist shows no hereditary lung diseases and as a non smoker I should not have COPD/ lung scarring at 40 years old. I am disabled and on many medications. My life has been completely destroyed by the negligence of all defendants. (Abatement contract # AS0200030 Air Montr #PD0200186

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

My injuries are COPD, lung scarring and Gerd. I am on supplemental oxygen, nebulizer treatments and Medicine for Gerd. I use oxygen on wheels when I travel. I have repeated respiratory infections that don't clear up with antibiotics prescribed by my doctors. My lung function is mixed i have obstructive lung disease defect as well as a restrictive lung disease defect. I have severe Dyspnea, tenacious mucus sputum production , chest pain and trouble sleeping as I have a persistent cough. I go to the doctor regularly to monitor my breathing function with PFT tests. There is no cure for COPD, lung scarring and Gerd. I will live with these debilitating illnesses for the rest of my life and may possibly have cancer as my health is getting worse.

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

I am asking for 50,000,000 (Fifty Million Dollars) to be equally allocated for damages caused by all defendants. I am also asking for punitive damages in the amount of \$10,000,00 (Ten million dollars) to be paid by NYCHA as NYCHA unequivocally knew that they exposed me to asbestos and was maliciously and intentionally negligent in concealing that asbestos was found and only produced documents after I had already moved out in 2012 in a mold case that was for my two sons which were lead poisoned by NYCHA. Notice of claim was certified mailed to NYCHA law department General counsel and received 10/2/19 90 days has passed as applicable by law to commence lawsuit and no response from NYCHA regarding my claims.

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an FP application.

January 3, 2020



Dated

Plaintiff's Signature

La'Shaun

S

Clark

First Name

Middle Initial

Last Name

6313 E. Shore circle

Street Address

Douglas/Douglasville

Georgia

30135

County, City

State

Zip Code

678-654-9565

Zavion00@msn.com

Telephone Number

Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

To: United States District Court Southern District Of New York

Attn: Pro Se Intake Unit

From: La'Shaun Clark / Plaintiff

Date: January 3, 2020

Attached to this cover letter is my complaint 1 original and 2copies, application to proceed without prepaying fees or costs (IFP) and proof of social security disability income. Please at your earliest convenience let me know that it has been received and filed. Thank you for your time and service as it is greatly appreciated.

Regards,

La'Shaun Clark

A handwritten signature in black ink, appearing to read "La'Shaun Clark", written over a horizontal line.

6313 E. Shore Circle

Douglasville, Georgia 30135

Tel: 678-654-9565

Email: Zavion00@msn.com

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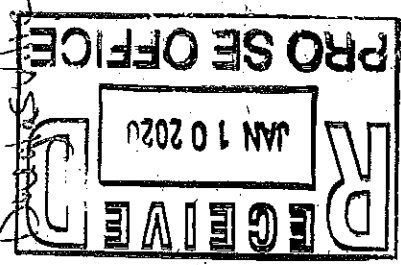
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RETURN RECEIPT
REQUESTED

FROM:

La'Shawn Clark
6313 E. Shore Circle
Dundalk, GA 30135



TO:

United States District Court
Southern District of New York
ATTN: Pro Se Intake Unit
Room 200
500 Pearl Street, New York,
NY 10007



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